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Counsel for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JASON KINZER, an individual;

Plaintiff,

vs.

ALLEGIANT AIR, LLC, a Nevada limited
liability company; and ALLEGIANT TRAVEL
CO., a Nevada corporation,

Defendants.

Case No. 2:15-cv-02306-JAD-PAL

JOINT INTERIM STATUS REPORT

In accordance with Local Rule 26-3 and the Scheduling Order (ECF No. 21), all Parties to this action, acting through their respective counsel, hereby submit this Joint Interim Status Report to the Court:

I. TIME ESTIMATED FOR TRIAL

The Parties estimate that a trial in this matter will require eight to ten days.

II. AVAILABLE TRIAL DATES

The Parties jointly submit the following alternative trial dates:

- Week of October 17, 2016
- Week of October 24, 2016
- Week of November 7, 2016

III. EFFECT OF SUBSTANTIVE MOTIONS ON TRIAL

There are pending before the Court: (1) Plaintiff's Motion for Remand to State Court (ECF No. 6); and (2) Defendants' Motion to Dismiss (ECF No. 9). The Court's decision on these motions could either send this case back to state court or significantly alter the issues remaining for trial; if Defendants' motion is granted in full, the case would end. Additionally, the Parties expect dispositive motions will be filed after the close of discovery. The Court's decisions on substantive motions may affect the need for trial or may shorten the time required to conduct the trial.

IV. ADDITIONAL INFORMATION OF WHICH THE COURT SHOULD BE AWARE

As the Court is aware, at the onset of litigation, the Parties were heavily involved in motion practice. Consequently, the Court entered its Order regarding discovery without the Parties submitting a proposed Discovery Plan and Scheduling Order. Based on the disclosures made by the Parties thus far (including number of witnesses (many of which are outside the State of Nevada) and anticipated expert disclosures and discovery), Defendants anticipate the need for continuing discovery. Defendants will be discussing the same with Plaintiff's counsel and depending on the outcome of those discussions with file a stipulation or motion to continue discovery by the appropriate deadline(s).

Dated: April 8, 2016

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